

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE FACEBOOK BIOMETRIC
INFORMATION PRIVACY
LITIGATION

Case No. 15-cv-03747-JD

CLASS ACTION

**UPDATED SUPPLEMENTAL
DECLARATION OF LANA LUCCHESI
RE: DISTRIBUTION OF SETTLEMENT
FUNDS**

I, Lana Lucchesi, declare and state as follows:

1. I am a Vice President with Gilardi & Co. LLC and KCC Class Action Services, LLC (collectively “Gilardi”), located in San Rafael, California. Pursuant to the Order Granting Preliminary Approval of Class Action Settlement (the “Preliminary Approval Order”) dated August 19, 2020, the Court appointed Gilardi as the Claims Administrator in connection with the proposed Settlement of the above-captioned Action.¹ I have personal knowledge of the matters stated herein and, if called upon, could and would testify thereto.

2. This declaration supplements my previous declaration executed on June 17, 2022 for the purpose of updating the parties and the Court with distribution activity.

3. On May 3, 2022, Gilardi received a payment from the Escrow Account to the Qualified Settlement Fund (“QSF”) in the amount of \$549,981,996.58.

4. Pursuant to the Court’s Order, Gilardi issued the following payments from the QSF: (a) class member settlement payments to 1,384,659 class members totaling \$549,709,623 and (b) tax compliance fees for 2021 totaling \$2,100.

5. Commencing on May 9, 2022, 927,551 checks were issued via USPS Mailing totaling \$368,237,747. Commencing on May 10, 2022, 190,446 Zelle payments were issued via electronic transfer totaling \$75,606,666. Commencing on May 11, 2022, 72,734 ACH payments were issued via electronic transfer totaling \$28,875,002. Commencing on May 17, 2022, 192,714 PayPal payments were issued via electronic transfer totaling \$76,507,458. The initial distributions were completed on May 31, 2022. These settlement checks held an original void date of August 8, 2022.

6. On or around July 1, 2022, Gilardi re-issued 81,849 payments to class members associated with unsuccessful electronic transfers via USPS Mailing. This also included an additional 1,116 checks that were initially held-back for quality assurance purposes as they were unable to be processed via electronic transfer. Furthermore, this included an additional 98 class

¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Amended Stipulation of Class Action Settlement, dated July 22, 2020 (the “Amended Stipulation”) and/or the Preliminary Approval Order.

1 members who were originally flagged as a duplicative claim as they provided the exact same name,
2 address and e-mail address as the matched record. These individuals reached out to Gilardi and
3 provided documentation which proved they were separate class members and Gilardi's records
4 were updated accordingly.

5 7. Each approved claim was awarded \$397.

6 8. As of the date of this declaration, 109,434 class members have not cashed their
7 checks totaling \$43,445,298.

8 9. Gilardi was instructed to honor check re-issue requests until the end of November
9 2022, the last of which will become void 45 days after issuance, or by January 14, 2023.

10 10. Subject to Court approval, Gilardi proposes a supplemental distribution to those
11 class members who cashed their initial payment from the first distribution to occur shortly after the
12 void date of the last reissued check. For illustration purposes, as of the date of this declaration,
13 \$43,730,229.12 remains in the QSF. 1,275,225 class members have cashed their initial payment.
14 When accounting for additional administration expenses to facilitate the supplemental distribution
15 through completion of this matter (as explained below), each of the 1,275,225 class members would
16 receive a supplemental payment of approximately \$31.45. As Gilardi will continue to process check
17 re-issues throughout the month of November and a multitude of checks continue to cash daily, these
18 numbers are not final and are subject to change.

19 11. The previously approved administration costs by the Court was in the amount of
20 \$1,828,009.89. However, due to the appeal process, Gilardi received an unanticipated high volume
21 of calls and e-mails from potential class members requesting to update their contact information
22 throughout the months of April and May 2022. This trend has continued through today. From the
23 date of commencement of the distribution of payments through the date of this declaration, Gilardi
24 has received and responded to 38,908 calls and 48,568 e-mails from potential class members.
25 Gilardi has also processed and mailed 13,707 check re-issues to date with an additional 594 pending
26 to be mailed. Of these reissued checks, 4,095 remain uncashed representing \$1,625,715.

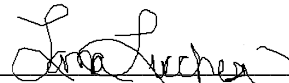
27 12. To carry out the supplemental distribution, Gilardi anticipates issuing approximately
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1 1.2 million additional payments, and continuing to operate its toll-free number and its settlement
2 website for ten additional months. In addition to these hard costs, the supplemental distribution will
3 require additional work for Gilardi staff, including but not limited to, call center agents answering
4 calls, responding to e-mails from potential class members, and processing check re-issue requests.
5 Gilardi will commence the second distribution no later than February 28, 2023.

6 13. As of the date of this declaration, Gilardi has incurred costs of administration in the
7 amount of \$3,134,762.55. As work is still ongoing, including facilitating the proposed supplemental
8 distribution, and including the continued trend of high volume of calls and e-mails, we anticipate
9 the total final cost of administration to completion to be \$5,437,971.16. There will also be an
10 additional tax compliance fee for 2022/2023 totaling \$2,700.

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12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct.

14 Executed on November 1, 2022 at San Rafael, California.

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18 Lana Lucchesi
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